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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

S. Joseph Campanella

Serial No.: 09/640,686

Filed: August 18, 2000

For: **Method and Apparatus for Mobile
Platform Reception and Synchronization in
Direct Digital Satellite Broadcast System**

Group Art Unit: 2665

Examiner: **Alpus H. Hsu**

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RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In the Restriction Requirement mailed on March 11, 2004, the Examiner has required restriction under 35 U.S.C. §121 to one of the following inventions: (I) claims 1-21, directed to TDM to TDM-MCM transformation in a satellite system; (II) claims 22-27, drawn to broadcast program transmission in a time diversity communication system; (III) claims 28-43, drawn to a broadcast program distribution in a satellite system; and (IV) claims 44-54, a viterbi convolution decoder at a receiver. This requirement is respectively traversed.


Regardless of the different classifications and fields of search mentioned by the Examiner, there is a significant degree of common subject matter in all the inventions identified in the Office Action. For example, claims 22 and 28 are directed towards methods of transmitting a broadcast

channel in a time diversity communication system, and a method of providing a broadcast program, and further comprises the step of receiving satellite signals which are transmitted using one of only time diversity or time and space diversity. Thus, both claims 22 and 28 deal with broadcasting channels in time diversity systems, and thus are closely related. Claim 1 is concerned with a method of synchronizing a selected number of time division multiplexed (TDM) symbols in a TDM data stream to an equal number of the subcarriers of a TDM/multicarrier modulated (MCM) symbol in a TDM-MCM wave form. Claims 1 and 11 are related, because claim 11 is directed toward a receiving device for receiving a TDM data stream comprising symbols, each of said symbols corresponding to a selected number of bits in said data stream. Claims 1 and 11 (Group I) are related to claims 22-27 (Group II), because the inventions described in claims 1 and 11 can be utilized in the systems of claims 22-27. In the same manner, Group IV claims 44-51 describe a method for maximum likelihood reception by viterbi convolution decoder at a receiver that can also be used within the communication systems of Group II and III. For example, claim 44 discloses the step of assigning first and second sets of coded bits to an undelayed early channel and a late channel, respectively.

Because of this common subject matter, the Applicant believes that it will not be a serious burden on the Examiner to search and examine all of the claims. Under MPEP §803, "[i]f the search and examination of an entire application can be made without serious burden, the examiner *must* examine it on the merits, *even though* it includes claims to independent or distinct inventions" (emphasis added). In the Applicant's view, that is exactly the situation in the present case.

Should the Examiner disagree with the Applicant's position in this matter, the Applicant provisionally elects Invention I (claims 1-21) for further prosecution in this application. The Applicant reserves the right to pursue prosecution of the nonelected claims via divisional applications.

Respectfully submitted,



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